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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN BONILLA as CHAIRMAN and GIL
CROSTHWAITE as CO-CHAIRMAN of the
BOARDS OF TRUSTEES FOR THE
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND, et al.,

Plaintiffs,

v.

WHEAT LAND SURVEYING, INC., a
California corporation; and ROBERT
WHEAT, an Individual,

Defendants.

CASE NO. C-05-4942 MEJ

**STIPULATION FOR ORDER
CONTINUING HEARING ON
PLAINTIFFS' MOTION TO ENFORCE
SETTLEMENT AGREEMENT;
(PROPOSED) ORDER THEREON**

DATE: June 5, 2008

TIME: 10:00 a.m.

CTRM.: B, 15th Floor

JUDGE: Hon. Maria-Elena James

The plaintiffs' Motion to Enforce Settlement Agreement and for a judgment against defendants was originally noticed for April 24, 2008, and was reset by the Court to June 5, 2008, in the April 23, 2008, Order Vacating OSC and Order Scheduling Hearing Re: Plaintiffs' Motion to Enforce. The parties are now engaged in further settlement negotiations, which were interrupted by a death in the family of defendant Robert Wheat. The parties desire to continue the date of the hearing on the motion, and the date for filing opposing and reply papers, for a reasonable period

1 while they continue their current negotiations in an attempt to resolve this matter between
2 themselves.

3 IT IS HEREBY STIPULATED, by and between the parties hereto, through their respective
4 counsel, that the hearing on plaintiffs' motion to enforce be continued to June 26, 2008, at 10:00
5 a.m., and that the time for filing opposing and reply papers be continued to June 5, 2008, and June
6 12, 2008, respectively.

7 DATED: April 30, 2008.

BEVINGTON LAW FIRM

9 By: /s/ Anne Bevington

10 Anne Bevington
Attorneys for Plaintiffs

11 DATED: April 30, 2008.

GAGEN, McCOY, McMAHON &
ARMSTRONG

14 By: /s/ Patrick J. McMahon

15 Patrick J. McMahon
Attorneys for Defendants

16
17 **~~PROPOSED~~ ORDER**

18 Pursuant to the stipulation of the parties, **IT IS SO ORDERED.**

19
20 DATED: May 1, 2008

21 
22 HON. MARGARET L. JAMES
23 UNITED STATES MAGISTRATE JUDGE

24
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2 themselves.

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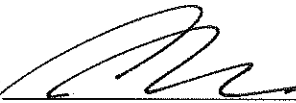
7 DATED: April 30, 2008.

BEVINGTON LAW FIRM

9 By: _____
10 Anne Bevington
Attorneys for Plaintiffs

11 DATED: April 30, 2008.

GAGEN, McCOY, McMAHON &
ARMSTRONG

13
14 By:  _____
15 Patrick J. McMahon
Attorneys for Defendants

16
17 **[PROPOSED] ORDER**

18 Pursuant to the stipulation of the parties, **IT IS SO ORDERED.**

19
20 DATED: _____

HON. MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE